

# STROOCK

By CM/ECF

May 23, 2017

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The Honorable George B. Daniels  
Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Room 1310  
New York, NY 10007

The Honorable Sarah Netburn  
Thurgood Marshall United States Courthouse  
40 Foley Square, Room 430  
New York, NY 10007

Re: *In Re: Terrorist Attacks on September 11, 2001*, 03 MDL 1570 (GBD) (SN);  
*Arrowood Indemnity Company, formerly known as Royal Indemnity Company, et al. v.*  
*Kingdom of Saudi Arabia, et al.*, 17-cv-3908

Dear Judge Daniels and Judge Netburn:

We represent Arrowood Indemnity Company, formerly known as Royal Indemnity Company, and Arrowood Surplus Lines Insurance Company, formerly known as Royal Surplus Lines Insurance Company (collectively, “Plaintiffs”), in Civil Action No. 17-cv-3908, filed on May 23, 2017 (the “Arrowood Action”). In the Arrowood Action, Plaintiffs assert claims against Defendants the Kingdom of Saudi Arabia and the Saudi High Commission for Relief of Bosnia & Herzegovina (collectively, the “Sovereign Defendants”), as well as claims against Defendants Al Rajhi Bank, National Commercial Bank, and Saudi Binladin Group (collectively, the “Non-Sovereign Defendants”).

As to their claims against the Sovereign Defendants, Plaintiffs utilized the Short Form Complaint procedure, as permitted and approved by the Court’s Order of May 3, 2017 (ECF 3543 in 03-md-1570). Pursuant to that Order, Plaintiffs respectfully request that the Arrowood Action be made part of *In Re: Terrorist Attacks on September 11, 2001*, 03 MDL 1570 (GBD) (SN). As stated in their complaint, Plaintiffs agree that their complaint shall be deemed subject to any motion to dismiss the Consolidated Amended

The Honorable George B. Daniels  
The Honorable Sarah Netburn  
May 23, 2017  
Page 2

Complaint (ECF 3463, 03-md-1570) or Answer to the Consolidated Amended Complaint filed by the Sovereign Defendants.

Additionally, as to their claims against the Non-Sovereign Defendants, Plaintiffs incorporated the jurisdictional, liability, and factual allegations presented in the First Amended Complaint filed on May 19, 2017 in *Underwriting Members of Lloyd's Syndicate 2 v. Al Rajhi Bank*, 16-cv-7853 (GBD)(SN) ("Lloyd's I") (ECF 55). As contemplated by the Court's Order of May 16, 2017 (ECF 3584, 03-md-1570), Plaintiffs agree that their complaint shall be deemed subject to any motion to dismiss the First Amended Complaint in *Lloyd's I* filed by the Non-Sovereign Defendants, which is scheduled to be filed on August 21, 2017.

We thank the Court for its consideration of this matter.

Respectfully submitted,

/s/ *James L. Bernard*

James L. Bernard

cc: Counsel of Record